

## REMARKS

This application has been carefully reviewed in light of the Office Action dated May 21, 2007. Claims 1, 2, 4, 10, 15 to 17, 20, 25, 32, 33, 39, 45 and 47 are in the application, with Claim 47 being newly-added herein. Claims 1, 33, and 39 are independent. Reconsideration and further examination are respectfully requested.

Claims 15 and 25 were objected over an informality. Amendments to Claims 15 and 25 are believed to obviate the objections. Accordingly, withdrawal of the objections is respectfully requested.

Claims 1, 2, 4, 10, 20, 25, 32, 33, 39 and 45 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,686,954 (Yoshinobu) in view of U.S. Patent No. 6,813,775 (Finseth) and U.S. Patent No. 5,758,259 (Lawler). Claim 15 was rejected under 35 U.S.C. § 103(a) over Yoshinobu, in view of Finseth, Lawler and U.S. Pre Grant Publication No. 2004/0231003 (Cooper). Claims 16 and 17 were rejected over Yoshinobu in view of Finseth, Lawler and Cooper and further in view of U.S. Patent No. 6,002,394 (Schein). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention is directed to a receiving apparatus, method and program instructions that include, among other features, inputting by a user, second program information regarding a selected program, including a recommendation index indicating a recommendation degree. For example, in one embodiment, a user inputs a star rating for a selected program, such as the 4-out-of-5 stars rating input in the “RECOMMENDATION INDEX INPUT WINDOW” of Figure 4 of the specification. The second program information is integrated with other information and transmitted as recommendation guide information to an external apparatus, which is accessible by another

user. In another feature, a second program guide table is generated based on a program guide information and a recommendation guide information with a recommendation index transmitted by another user. For example, Figure 13 shows one embodiment in which an electronic program guide (EPG) blacks out programs other than recommended programs. In another embodiment, recommended programs are displayed brighter than other programs, and include icons representing the star ratings transmitted by other users. (See, e.g., Figure 16). In one advantage, the features of the present invention allow users to input their recommendation index for a selected program to transmit to other users, and to view a second program guide table generated based on recommendation indices input by other users.

Referring to the specific language of the claims, independent Claim 1 defines a receiving apparatus comprising a receiving unit for receiving a television broadcasting signal in which video signals of a plurality of broadcasting programs and program guide information of the plurality of broadcasting programs are multiplexed, an extraction unit for extracting the program guide information from the television broadcasting signal received by the receiving unit, and a selecting unit for selecting, by a user using a first program guide table based on the program guide information extracted by the extracting unit, a program corresponding to first program information from the plurality of programs. The apparatus also comprises an input unit for inputting by the user, second program information regarding the selected program, including a recommendation index indicating a recommendation degree, an integrating unit for integrating the first and second program information, and a transmitting unit for transmitting the integrated program information as recommendation guide information to an external apparatus, which is

accessible by another user. The apparatus also comprises a program table generating unit for generating a second program guide table based on the program guide information and the recommendation guide information with the recommendation index transmitted by another user.

Independent Claims 33 and 39 define a method and a recording medium storing a program, respectively, that correspond generally to the apparatus of Claim 1.

The applied references are not seen to disclose or to suggest the features of independent Claims 1, 33 and 39, and in particular, are not seen to disclose or to suggest at least the features of inputting by a user, second program information regarding a selected program, including a recommendation index indicating a recommendation degree, and generating a second program guide table based on program guide information and the recommendation guide information with the recommendation index transmitted by another user.

Finseth is seen to disclose a plurality of receiver stations, “each of the plurality of receiver stations maintains viewing preference profiles, which comprise viewing preference information, by tracking the viewing history of each user.” (column 2, lines 3 to 6 of Finseth)(emphasis added). Specifically, Finseth’s receiver “tracks a user's viewing history and stores viewing preference information in a selection history table”. (column 10, lines 13 to 15)(emphasis added). Finseth’s viewing preference information can be used to provide user specific program guide content by “similarity matching techniques to determine how well certain television programs correlate to the viewing preference information in the user-specific sub-history of the selection history table.” (column 11, lines 36 to 40)(emphasis added). However, Finseth’s selection history table,

which stores a tracked viewing history of a user, is not seen to disclose or to suggest inputting by a user, second program information regarding a selected program, including a recommendation index indicating a recommendation degree.

In this regard, Finseth is also seen to disclose that “receivers 64 can allow users to share their viewing preference information” (column 12, lines 9 to 11), and “the shared viewing preference information can be used by a user to see what other users are recommending to watch or, by using similarity matching techniques as described above, to build a program guide that displays programs that other users would find interesting.” (column 13, lines 19 to 23)(emphasis added).<sup>1</sup> Therefore, Finseth’s building of a program guide is seen to be based on the same similarity matching techniques, which are based on a selection history table. As discussed above, Finseth’s selection history table, which is merely a tracked viewing history of a user, is not seen to disclose or to suggest inputting by a user, second program information regarding a selected program, including a recommendation index indicating a recommendation degree.

Thus, while Finseth may disclose building a program guide by determining how well certain programs correlate to a tracked viewing history of another user, Finseth is not seen to disclose or to suggest generating a second program guide table based on program guide information and the recommendation guide information with the recommendation index transmitted by another user.

---

<sup>1</sup>Finseth is also seen to disclose that, in addition to sharing his/her user-specific sub-history table, “a user can also share specific comments or reviews regarding a television program”. (column 12, lines 36 to 38)(emphasis added). However, these specific comments or reviews are not seen to be used to build a program guide using Finseth’s similarity matching techniques.

Lawler is not seen to cure the deficiencies of Finseth. Like Finseth, Lawler is seen to disclose tracking viewing history, in which the system “establishes for each viewer a database or table of viewer preferences representing the particular characteristics of programming previously delivered to the viewer (i.e., a viewing history for the viewer).” (column 2, lines 15 to 19 of Lawler)(emphasis added). In particular, Lawler’s “invention provides a viewer on an IT system with a programming guide that is automatically personalized based on the viewing history of the viewer. The invention requires no prior selection of programming types or classes by the viewer.” (column 2, lines 30 to 34)(emphasis added). Thus, while Lawler may disclose that the system “can identify preferred programming according to the viewing histories of any selected group of viewers” (column 2, lines 38 to 40), Lawler is not seen to disclose or to suggest generating a second program guide table based on program guide information and the recommendation guide information with the recommendation index transmitted by another user.

The remaining applied references are not seen to cure the deficiencies of Finseth and Lawler, either alone or in any permissible combination. Accordingly, independent Claims 1, 33 and 39 are believed to be allowable.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

Turning to a formal matter, the Office Action indicates that a copy of the Form PTO-1449 for the Information Disclosure Statement (IDS) filed on February 5, 2001 is missing. While the IDS does reference an “enclosed Form PTO-1449”, this reference is erroneous, since no Form PTO-1449 was submitted with the IDS. However, Applicants submit that the IDS was in full compliance with 37 C.F.R § 1.98 at the time it was filed. (See, MPEP Seventh Ed., Rev. 1 (02/2000), section 609 (explaining that the examiner should initial “adjacent to the considered citations on the list or in the boxes provided on a form PTO-1449” (emphasis added))). As such, the Examiner is respectfully requested to indicate that the information cited in the IDS<sup>2</sup> has been considered by initialing adjacent to the citation and returning a copy of the initialed sheet with the next correspondence.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

---

<sup>2</sup>Applicants note that the cited U.S. Appln. No. 09/531,959 is currently available on the Patent Office’s Image File Wrapper system.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

/Gregory S. Weaver, #53,751/  
Gregory S. Weaver  
Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

FCIS\_WS 1533519v1